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ENGROSSED SUBSTITUTE HOUSE BILL 1135

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State of Washington

54th Legislature

1995 Regular Session

By House Committee on Capital Budget (originally sponsored by Representatives McMorris, Morris, Pennington, Benton, Koster, Smith, Sheldon, Chandler, Mulliken, Foreman, L. Thomas, Schoesler, Sheahan, Honeyford, Fuhrman, Lambert, Blanton, Van Luven, Boldt, Buck, Crouse, Huff, Hickel, Thompson, Robertson, McMahan, Stevens, Sherstad, Cooke, Johnson, Delvin and Mielke)

Read first time 03/06/95.

1 AN ACT Relating to acquisition of public art; amending RCW  
2 43.17.200, 28B.10.025, 43.17.205, 43.17.210, and 43.19.455; and  
3 repealing RCW 28A.335.210.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.17.200 and 1983 c 204 s 4 are each amended to read  
6 as follows:

7 (1) Except as provided in subsection (2) of this section, all state  
8 agencies including all state departments, boards, councils,  
9 commissions, and quasi public corporations shall allocate, as a  
10 nondeductible item, out of any moneys appropriated for the original  
11 construction of any public building, an amount of one-half of one  
12 percent of the appropriation to be expended by the Washington state  
13 arts commission for the acquisition of works of art created by  
14 Washington state artists. The works of art may be placed on public  
15 lands, integral to or attached to a public building or structure,  
16 detached within or outside a public building or structure, part of a  
17 portable exhibition or collection, part of a temporary exhibition, or  
18 loaned or exhibited in other public facilities. In addition to the  
19 cost of the works of art the one-half of one percent of the

1 appropriation as provided herein shall be used to provide for the  
2 administration of the visual arts program by the Washington state arts  
3 commission and all costs for installation of the works of art. For the  
4 purpose of this section building shall not include highway construction  
5 sheds, warehouses, or other buildings of a temporary nature.

6 (2) Subsection (1) of this section shall not apply to the  
7 construction of any facility under the control of the department of  
8 corrections and used for the incarceration, treatment, or  
9 rehabilitation of convicted persons, or any facility under the control  
10 of the department of social and health services and used for juvenile  
11 rehabilitation.

12 NEW SECTION. Sec. 2. RCW 28A.335.210 and 1983 c 204 s 7, 1982 c  
13 191 s 2, & 1974 ex.s. c 176 s 5 are each repealed.

14 **Sec. 3.** RCW 28B.10.025 and 1990 c 33 s 557 are each amended to  
15 read as follows:

16 The Washington state arts commission shall, in consultation with  
17 the boards of regents of the University of Washington and Washington  
18 State University and with the boards of trustees of the regional  
19 universities, The Evergreen State College, and the community college  
20 districts, determine the amount to be made available for the purchases  
21 of art under RCW 28B.10.027, and payment therefor shall be made in  
22 accordance with law. The designation of projects and sites, the  
23 selection, contracting, purchase, commissioning, reviewing of design,  
24 execution and placement, acceptance, maintenance, and sale, exchange,  
25 or disposition of works of art shall be the responsibility of the  
26 Washington state arts commission in consultation with the board of  
27 regents or trustees. However, the costs to carry out the Washington  
28 state arts commission's responsibility for maintenance shall not be  
29 funded from the moneys referred to under this section(~~(7)~~) or RCW  
30 43.17.200(~~(7)~~) or 43.19.455, (~~(or—28A.335.2107)~~) but shall be  
31 contingent upon adequate appropriations being made for that purpose.

32 **Sec. 4.** RCW 43.17.205 and 1990 c 33 s 574 are each amended to read  
33 as follows:

34 The funds allocated under RCW 43.17.200(~~(7—28A.335.2107)~~) and  
35 28B.10.025 shall be subject to interagency reimbursement for  
36 expenditure by the visual arts program of the Washington state arts

1 commission when the particular law providing for the appropriation  
2 becomes effective. For appropriations which are dependent upon the  
3 sale of bonds, the amount or proportionate amount of the moneys under  
4 RCW 43.17.200(~~(28A.335.210)~~) and 28B.10.025 shall be subject to  
5 interagency reimbursement for expenditure by the visual arts program of  
6 the Washington state arts commission thirty days after the sale of a  
7 bond or bonds.

8 **Sec. 5.** RCW 43.17.210 and 1990 c 33 s 575 are each amended to read  
9 as follows:

10 The Washington state arts commission shall determine the amount to  
11 be made available for the purchase of art in consultation with the  
12 agency, except where another person or agency is specified under RCW  
13 43.19.455(~~(28A.335.210)~~) or 28B.10.025, and payments therefor shall  
14 be made in accordance with law. The designation of projects and sites,  
15 selection, contracting, purchase, commissioning, reviewing of design,  
16 execution and placement, acceptance, maintenance, and sale, exchange,  
17 or disposition of works of art shall be the responsibility of the  
18 Washington state arts commission in consultation with the directors of  
19 the state agencies. However, the costs to carry out the Washington  
20 state arts commission's responsibility for maintenance shall not be  
21 funded from the moneys referred to in RCW 43.17.200, 43.19.455,  
22 (~~28A.335.210~~) or 28B.10.025, but shall be contingent upon adequate  
23 appropriations being made for that purpose.

24 **Sec. 6.** RCW 43.19.455 and 1990 c 33 s 576 are each amended to read  
25 as follows:

26 Except as provided under RCW 43.17.210, the Washington state arts  
27 commission shall determine the amount to be made available for the  
28 purchase of art under RCW 43.17.200 in consultation with the director  
29 of general administration, and payments therefor shall be made in  
30 accordance with law. The designation of projects and sites, selection,  
31 contracting, purchase, commissioning, reviewing of design, execution  
32 and placement, acceptance, maintenance, and sale, exchange, or  
33 disposition of works of art shall be the responsibility of the  
34 Washington state arts commission in consultation with the director of  
35 general administration. However, the costs to carry out the Washington  
36 state arts commission's responsibility for maintenance shall not be  
37 funded from the moneys referred to under this section(~~(7)~~) or RCW

1 43.17.200(~~(7-28A.335-2107)~~) or 28B.10.025, but shall be contingent upon  
2 adequate appropriations being made for that purpose.

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